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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,917	08/23/2001	Risto Pekka Antero Nokelainen	B1009/7004/DRW/DPM	2006

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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notification of Non-Compliance
With 37 CFR 1.192(c)**

Application No.

09/935,917

Applicant(s)

NOKELAINEN, RISTO PEKKA
ANTERO

Examiner

Kenneth E Peterson

Art Unit

3724

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 26 October 2004 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPLICATE a complete new brief in compliance with 37 CFR 1.192(c) within the longest of any of the following three **TIME PERIODS**: (1) **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer; (2) **TWO MONTHS** from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. **EXTENSIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4. ☐ The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5. ☐ The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6. ☐ A single ground of rejection has been applied to two or more claims in this application, and
 - (a) ☐ the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
 - (b) ☐ the brief includes the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7. ☐ The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9. ☒ Other (including any explanation in support of the above items):

See Continuation Sheet

Continuation of 9. Other (including any explanation in support of the above items): The claim amendment filed 26 oct 04 will not be entered, since it would require further consideration. As set forth in section IV of the brief, this amendment has been incorporated into section V (Summary of the invention) and section VIII (arguments). Since the claims amendment was not entered, the Summary and Arguments section are now inaccurate.

In order to be as up-front as possible, Examiner notes the following; An appeal conference was held, and the supervisors agreed that the rejection was good and should be forwarded to the board. Assuming that the above correction is made and Applicant wishes to proceed, he may want to address the fact that Hayamizu, after the transverse cutter (69), does indeed send a succession of individual normal-sized sheets (much like Applicant) to the next cutter (90), which has been modified to be a perforator. Also, Applicant may want to address the motivation set forth by Moll for perforating on lines 15-24 of column 1, namely that it is advantageous to keep parts together for mailing, and let the end-user decide when to separate them. Another thing Applicant should consider is that it is obvious to modify Moll in view of Hayamizu, by adding the barcodes and reader, in order to automate the process.

If Applicant does not pursue this appeal, another option is to file an RCE and add claim limitations about the position of the transverse cutter relative to the printer and barcode reader, which would be a possible point of distinguishment from Hayamizu.



KENNETH E. PETERSON
PRIMARY EXAMINER